

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA

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CRIMINAL NO. 08-188

v.

*

SECTION: "N"

KENDALL BAGNERIS

* * *

FACTUAL BASIS

If this case were to proceed to trial, the United States would prove the following facts beyond a reasonable doubt:

In May 2007, agents of the Drug Enforcement Administration (DEA) began an investigation into the drug trafficking activities of QUINCY BROWN and others in the Eastern District of Louisiana. The investigation included the use of information from task force agents, state and local law enforcement officers and confidential sources. Agents analyzed pen register information and telephone toll records, conducted surveillance and made controlled narcotics purchases and seizures from members of this drug trafficking conspiracy. Additionally, on April 28, 2008, an affidavit was filed for the interception of wire communications over a cellular telephone utilized by QUINCY BROWN (hereinafter referred to as BROWN). Interception of wire communications to-and-from this telephone continued until June 30, 2008. Numerous drug related calls were intercepted in which

BROWN talked about **KENDALL BAGNERIS, a/k/a “Doodle” or “101,”** cooking cocaine powder into crack for him.

For example, on June 10, 2008, BROWN called GABRIELLE MORRIS, a co-defendant and co-conspirator, and informed her that he had “some new stuff, if you want when you get a chance, I could give you a piece.” MORRIS responded that she was “out and needed some.” BROWN told her that it would be “soft, though, because I have to wait for **Doodle [KENDALL BAGNERIS]** to cook it.”

Approximately three hours later at 2:30 p.m., BROWN was intercepted on his phone saying “**101 [KENDALL BAGNERIS]**, where you at...**101**, where you at?” **BAGNERIS** answered that he was “at the restaurant.” BROWN told him he was going to wait for him by DARLENE’s [DARLENE WOODS] . . . hurry up.”

Approximately ten minutes later, BROWN was intercepted talking to another co-conspirator saying that he just had to wait on “**Doodle [KENDALL BAGNERIS]** to come do that for me.” BROWN told the individual that he was currently at DARLENE’s [DARLENE WOODS] house and that he should come to DARLENE’s. Agents would testify that DARLENE WOODS lived at 513 Pink Street in Metairie, Louisiana.

Agents would testify and photographs would be offered into evidence to show that **KENDALL BAGNERIS** was seen arriving at DARLENE WOODS house at 513 Pink Street following these telephone calls. He was wearing black pants and a black shirt. When he was observed to exit the residence at approximately 3:17 p.m. on June 10, 2008, agents would testify and photographs would be offered into evidence to show that his dark clothing was discolored by white powder that he brushed off him once outside the residence. Agents would testify that this white

powder was consistent with the color of cocaine hydrochloride and baking soda, two components of cocaine base. Agents would testify that following **KENDALL BAGNERIS's** departure from 513 Pink Street, BROWN was seen leaving the residence some time later. The wire interception of BROWN's telephone revealed that he took multiple orders for crack cocaine and surveillance agents saw him being driven to meet multiple customers in the New Orleans area to deliver crack following **KENDALL BAGNERIS's** time at the Pink Street residence.

Upon **KENDALL BAGNERIS's** arrest, agents would testify that they read him his constitutional rights per Miranda and he admitted that he cooked 1 to 1 ½ ounces of crack for BROWN twice a month for 18 months. **KENDALL BAGNERIS** also admitted to agents that he sold 1 ½ ounces of crack to BROWN in May 2008.

The undersigned prosecutor and DEA Special Agents assigned to this investigation have done a thorough review of all drug types and quantities provable during the entire course of the conspiracy. The amount of narcotics that the defendant, **KENDALL BAGNERIS**, is responsible for distributing or that was reasonably foreseeable to him as being distributed in this case includes a total quantity of at least 500 grams but less than 1.5 kilograms of cocaine base and a quantity of cocaine hydrochloride. This

assessment was arrived at through careful analysis of all seizures, consensually monitored telephone calls, law enforcement surveillance, telephone records analysis and witness interviews.

Read and Approved:

KENDALL BAGNERIS
Defendant

Date

ROBERT BLACKBURN ()
Defense Counsel

Date

EMILY K. GREENFIELD (LA 28587)
Assistant United States Attorney

Date